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REMARKS

In response to the above-identified Office Action, Applicant seeks consideration of the following remarks. In this Office Action, Applicant does not amend, cancel, or add any claims. Accordingly, claims 1-18 remain pending in the Application.

I. Claims Rejected Under 35 U.S.C. § 102

Claims 1, 4-5, and 7-8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,519,889 issued to Hipp ("Hipp"). Applicant respectfully traverses the rejection.

To anticipate a claim, the cited reference must teach each and every element of the rejected claim (see MPEP § 2131). Among other elements, claim 1 defines "a method for suppressing interference in a motor vehicle radio from the operating frequency or the harmonics of the operating frequency of a source of time varying signal in response to tuning the radio to a selected frequency, the method comprising the steps of communicating the selected frequency to the source of time varying signal" (emphasis added). Applicant respectfully submits *Hipp* fails to teach at least these elements of independent claim 1.

In making the rejection, the Patent Office characterizes *Hipp* as showing "a method for suppressing interference in a motor vehicle radio (14) from the operating frequency or the harmonics of the operating frequency of a source of time varying signal (20) in response to tuning the radio to a selected frequency (col. 2, lines 6-14), the method comprising the steps of: communicating the selected frequency (selected AM reception) with the source of time varying signal (20) (col. 2, lines 6-14)" (Paper No./Mail Date 030506, page 2). Applicant respectfully disagrees with the Patent Office's characterization of the teachings of *Hipp*.

The disclosure in *Hipp* "relates generally to a switch mode power supply and more specifically to preventing the RF noise generated from a switch mode power supply from interfering with the reception of a radio signal in a nearby radio receiver" (Col. 1, lines 9-13). The power supply includes a primary winding (reference numeral 24), which:

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...is connected to ground through a switching device 36, (for example, a transistor such as a JFET) and a resistor 37. A controller 34 is connected to the gate terminal of JFET 36 to pulse width modulate the current through primary winding 24 and thereby control the voltage across the output of secondary winding 26. Thus, controller 34 operates switch 36 at a predetermined operating frequency at a variable pulse width determined in response to feedback of the output voltage of secondary 26. The operating frequency of controller 34 is controlled by a precision timer 38 which is electrically connected to controller 34. (*Hipp*, Col. 2, lines 27-38).

Therefore, Applicant submits that *Hipp* discloses a power supply that operates at a pre-determined frequency that is independent of the changing frequencies of the nearby AM radio. In other words, *Hipp* discloses a power supply that includes a pre-determined operating frequency that will not overlap with an AM radio frequency or harmonic no matter which frequency is selected on the radio.

By contrast, claim 1 defines a method wherein the operating frequency of a source of time varying signal may change in response to tuning the radio to selected frequencies. Therefore, *Hipp* fails to disclose all of the elements of claim 1 because there is no teaching of the power supply changing its frequency in response to tuning a radio to selected frequencies.

The failure of *Hipp* to teach every element of claim 1 is fatal to the anticipation rejection. Therefore, claim 1 is not anticipated by *Hipp*. Accordingly, Applicant respectfully requests withdrawal of the rejection of independent claim 1.

Claims 4-5 and 7-8 either directly or indirectly depend from claim 1 and include all of the elements thereof. Therefore, Applicant submits claims 4-5 and 7-8 are not anticipated by *Hipp* at least for the same reasons as claim 1, in addition to their own respective features. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 4-5 and 7-8.

II. Claims Rejected Under 35 U.S.C. § 103

Claims 2 and 3 stand rejected under 35 U.S.C. § 103(a) as being obvious over *Hipp* in view of U.S. Patent Application Publication No. 2003/0036415 filed by Shimodaira et al. ("Shimodaira"). Applicant respectfully traverses the rejection.

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To render a claim obvious, the cited references must teach or suggest all of the elements of the rejected claim (see MPEP § 2143). Claims 2 and 3 either directly or indirectly depend from claim 1 and include all of the elements thereof. Therefore, Applicant submits that the discussion above regarding *Hipp* failing to teach at least the elements of “a method for suppressing interference in a motor vehicle radio from the operating frequency or the harmonics of the operating frequency of a source of time varying signal in response to tuning the radio to a selected frequency, the method comprising the steps of communicating the selected frequency to the source of time varying signal,” as recited in claim 1, is equally applicable to claims 2 and 3 by reason of their dependence. Thus, *Hipp* fails to teach or suggest all of the elements of claims 2 and 3. The Patent Office relies on the disclosure in *Shimodaira* to cure the defects of *Hipp*, however, Applicant submits *Shimodaira* fails to cure such defects.

In making the rejection, the Patent Office does not cite *Shimodaira* as showing “a method for suppressing interference in a motor vehicle radio from the operating frequency or the harmonics of the operating frequency of a source of time varying signal in response to tuning the radio to a selected frequency, the method comprising the steps of communicating the selected frequency to the source of time varying signal” as included in claims 2 and 3. Moreover, Applicant has reviewed *Shimodaira* in its entirety and cannot discern any sections of *Shimodaira* disclosing such elements. Therefore, *Shimodaira* fails to cure the defects of *Hipp*.

The failure of the combination of *Hipp* and *Shimodaira* to teach or suggest all of the elements of claims 2 and 3 is fatal to the obviousness rejection. Therefore, claims 2 and 3 are not obvious over *Hipp* in view of *Shimodaira*. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 2 and 3.

Claims 10-13 and 16-18 stand rejected under 35 U.S.C. § 103(a) as being obvious over *Hipp* in view of *Shimodaira* and further in view of U.S. Patent No. 6,147,938 issued to Ogawa et al. (“*Ogawa*”). Applicant respectfully traverses the rejection.

Among other elements, independent claim 10 defines “a method for suppressing interference in a motor vehicle AM radio . . . the method operative in response to tuning the AM radio to a selected frequency comprising the steps of: sending a message from the AM radio to each of the electronic control units in each of the plurality of electronic modules communicating the selected frequency”

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similar to claim 1 discussed above. Therefore, Applicant submits the discussion above regarding *Hipp* and *Shimodaira* failing to teach or suggest that the operating frequency of a source of time varying signal responds to a selected frequency of a radio as recited in claims 2 and 3 is equally applicable to similar elements recited in claim 10. Therefore, Applicant submits the combination of *Hipp* and *Shimodaira* fails to teach or suggest all of the elements of claim 10. The Patent Office relies on the disclosure in *Ogawa* to cure the defects of *Hipp* and *Shimodaira*, however, Applicant submits *Ogawa* fails to cure such defects.

In making the rejection, the Patent Office does not cite *Ogawa* as showing "a method for suppressing interference in a motor vehicle AM radio ...the method operative in response to tuning the AM radio to a selected frequency comprising the steps of: sending a message from the AM radio to each of the electronic control units in each of the plurality of electronic modules communicating the selected frequency" as recited in claim 10. Moreover, Applicant has reviewed *Ogawa* in its entirety and cannot discern any sections of *Ogawa* disclosing such elements. Therefore, *Ogawa* fails to cure the defects of *Hipp* and *Shimodaira*.

The failure of the combination of *Hipp*, *Shimodaira*, and *Ogawa* to teach or suggest all of the elements of claim 10 is fatal to the obviousness rejection. Therefore, claim 10 is not obvious over *Hipp* in view of *Shimodaira* and in further view of *Ogawa*. Accordingly, Applicant respectfully requests withdrawal of the rejection of independent claim 10.

Claims 11-13 and 16 depend from claim 10 and include all of the elements thereof. Therefore, Applicant submits claims 11-13 and 16 are not obvious over *Hipp* in view of *Shimodaira* and in further view of *Ogawa* for at least the same reasons as claim 10, in addition to their own respective features. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 11-13 and 16.

Referring to the rejection of independent claim 17, claim 17 includes the elements of "a method for suppressing interference in a motor vehicle AM radio ...the method operative in response to tuning the AM radio to a selected frequency comprising the steps of: sending a message from the AM radio to each of the electronic control units in each of the plurality of electronic modules communicating the selected frequency" similar to claim 10 discussed above. Therefore, Applicant

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submits the discussion above regarding the combination of *Hipp*, *Shimodaira*, and *Ogawa* failing to teach or suggest that the operating frequency of a source of time varying signal responds to a selected frequency of a radio as recited in claim 10 is equally applicable to similar elements recited in claim 17. Therefore, Applicant submits the combination of *Hipp*, *Shimodaira* and *Ogawa* fails to teach or suggest all of the elements of claim 17.

The failure of the combination of *Hipp*, *Shimodaira*, and *Ogawa* to teach or suggest all of the elements of claim 17 is fatal to the obviousness rejection. Therefore, claim 17 is not obvious over *Hipp* in view of *Shimodaira* and in further view of *Ogawa*. Accordingly, Applicant respectfully requests withdrawal of the rejection of independent claim 17.

Claim 18 depends from claim 17 and includes all of the elements thereof. Therefore, Applicant submits claim 18 is not obvious over *Hipp* in view of *Shimodaira* and in further view of *Ogawa* for at least the same reasons as claim 17, in addition to its own respective features. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 18.

III. Allowable Subject Matter

Applicant notes with appreciation the Patent Office's indication that claims 6, 9, and 14 would be allowable if rewritten in independent form and including all limitations of the base claim and any intervening claims. However, in view of the discussion above, Applicant believes that claims 6, 9, and 14 are in condition for allowance as they currently stand.

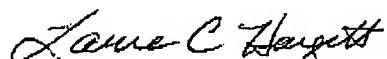
CONCLUSION

In view of the foregoing, it is believed that all claims now pending are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Patent Office believes that a telephone conference would be useful in moving the application forward to allowance, the Patent Office is encouraged to contact the undersigned.

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If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 07-0960 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,



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